

MPA NEWS



Published on *MPA News* (<https://mpanews.openchannels.org>)

US and New Zealand scale back proposal for Ross Sea MPA in bid for other nations' approval

In a move aimed to help secure other nations' approval of a large new MPA in Antarctica's Ross Sea, New Zealand and the US have scaled back the size of their proposed protected area - from 2.28 million km² to 1.34 million km², a reduction of 41%.

The revised proposal is in response to meetings in July 2013 of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and its Scientific Committee, where the prior New Zealand/US proposal was discussed. In those meetings, members of the Scientific Committee questioned the size and location of the larger MPA. Russia also argued that CCAMLR did not have a legal mandate to declare MPAs at all, a conclusion that appeared to disregard previous consensus decisions on MPAs by CCAMLR Members, including Russia ([MPA News 15:1](#)). In addition, Ukraine argued that CCAMLR had no right to limit rational use.

Although the revised proposal is significantly smaller than its previous form, it would still amount to an enormous protected area, nearly all of which would be no-take (93%). Although the revision clarifies that the MPA would be subject to review and possible amendment every 10 years, it stops short of providing a sunset clause, under which the MPA would have a scheduled end date. China and other nations called for a sunset clause at the July meeting.

The revised proposal will be considered by CCAMLR at its annual meeting this October in Hobart, Australia. The revised proposal is at www.mfat.govt.nz/ross-sea-mpa/tabs/proposal.php [Editor's note: A parallel proposal before CCAMLR for a network of MPAs in the Eastern Antarctic - proposed by Australia, France, and the European Union - remains unchanged and will be reconsidered by CCAMLR this October.]

Hoping that all Members will come to the table

Below, MPA News speaks with Evan Bloom - Director of the Office of Ocean and Polar Affairs at the US Department of State, and the US representative to CCAMLR - about the revised Ross Sea proposal:

MPA News: Why was the Ross Sea MPA proposal scaled back?

Evan Bloom: The United States and New Zealand revised the proposal to take into account advice provided by the Special Session of CCAMLR's Scientific Committee at Bremerhaven, Germany, in July. We are committed to using best available science in establishing CCAMLR MPAs, and we felt it was important to incorporate that advice and demonstrate that we were listening to comments from Members.

The revised proposal continues to provide key protections to the Ross Sea's unique biodiversity, benthic habitats, ecosystem processes, and marine living resources, albeit across a somewhat reduced area. Most of the reduction is in the northern Ross Sea Region and based on advice from the Scientific Committee that there was insufficient evidence to support the protection of seamount areas there for their value as habitats for spawning toothfish, as was originally proposed by the US and New Zealand. The Scientific Committee did advise, however, that seamount habitats are valuable for protection for other reasons and that a representative, but smaller, seamount area could be included in the MPA, which the revised proposal does. Although we believe that there is sufficient evidence to support precautionary protection of these areas for spawning, it is important to take into account the advice coming out of the Scientific Committee.

The revised MPA would encompass 1.34 million km², roughly twice the size of the US state of Texas. If approved, it would be the largest MPA in the world and would include 1.25 million km² of no-take area.

MPA News: At July's meeting, Russia questioned whether CCAMLR has the right to designate MPAs. Do you have reason to believe that Russia might be satisfied enough with the revisions to support the proposal in this form?

Bloom: We believe the revisions made to the proposal following the advice of the CCAMLR Scientific Committee address comments we have heard from a range of CCAMLR Members, including Russia. Like nearly every other CCAMLR Member, however, we have no doubt about CCAMLR's legal basis for establishing MPAs. As a testament to that authority, all CCAMLR Members joined consensus in the recent past to approve the Commission's first MPA in 2009, and later, in 2011, to institute guidelines for establishing CCAMLR MPAs. The Ross Sea proposal is consistent with CCAMLR's authority and guidelines for establishing MPAs. It is our hope that having reviewed our revised proposal, all Members will be willing to come to the table to negotiate a Ross Sea MPA at CCAMLR's next meeting.

MPA News: The revised proposal clarifies that there would be an opportunity to amend the MPA Conservation Measure every 10 years, although it stops short of providing a sunset clause. Would any such amendments - such as to reopen some or all of the closed areas to fishing - require consensus by the Commission?

Bloom: The Commission makes decisions on matters of substance by consensus, so yes, all Members would need to agree to amend the MPA following each 10-year period. That said, the Commission could amend the proposal in any year if it decided to do so. Just as Members could decide by consensus to open closed areas, however, they could also decide to add new areas to the MPA (e.g., as further data supports the identification of toothfish spawning areas).

For more information:

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BOX: A response to the revised Ross Sea proposal from the Antarctic and Southern Ocean Coalition

Claire Christian is Director of the Secretariat of the Antarctic and Southern Ocean Coalition (ASOC), a coalition of conservation organizations. Here she provides ASOC's response to the revised proposal for a Ross Sea MPA:

"We are quite disappointed by the large reduction in the size of the proposed Ross Sea MPA, which reduces protection for important seamounts and spawning areas. We understand the need to negotiate and to respond to the advice from the Scientific Committee at the Bremerhaven meeting. However, the proposal was released before obtaining support from critical CCAMLR Members, and before Russia and Ukraine indicated a willingness to engage in substantive discussions about the proposals on the table. Nevertheless, the proposal does leave protections for the shelf and slope, which are the heart of the ecosystem, intact.

"The revised proposal has not made any changes to the review clause, something that several CCAMLR Member countries have said they do not support in its current form: some of these Members have requested a sunset clause instead of an MPA with indefinite duration. Under a sunset clause, CCAMLR Members would have to reach a consensus decision to renew the MPA at the end of its designation period or the protections for the area would end. It would be very difficult to support an MPA with these conditions, as this would not qualify as an MPA under the IUCN categories. Moreover, protected areas are not usually designated with an end date, and this would be a very unfortunate precedent.

"CCAMLR has made a commitment to designate a network of MPAs. It has a long history of successfully tackling tough issues - seabird bycatch, IUU fishing - and if all Members come to the table in good faith in October, they will be able to honor that commitment. Already, some countries that had expressed some concerns about the East Antarctica and Ross Sea proposals showed themselves willing to work constructively at Bremerhaven. Now Russia and Ukraine must do the same. If they can do that, CCAMLR will once again show that it is a leader in protecting ecosystems."

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